

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR UTILITY PATENT APPLICATION**

Attorney's Docket No.  
032495-001

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I BELIEVE I AM AN ORIGINAL, FIRST AND JOINT INVENTOR OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED:

**TISSUE ACQUISITION SYSTEM AND METHOD OF USE**

the specification of which

(check one)

is attached hereto;

was filed on November 20, 1998 as

Application No. 09/196,125

and was amended on \_\_\_\_\_;

(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;

I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992);

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application(s) on which priority is claimed:

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Nov 20 1998 AF/B  
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## COMBINED DECLARATION AND POWER OF ATTORNEY

Attorney's Docket No.  
032495-001

FULL NAME  
Martin V. S  
RESIDENCE  
25421 Old  
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COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIOR CLAIM
United States	09/057,303	April 3, 1998	YES <u>X</u>
			YES <u>  </u> I

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis	17,337	George A. Hovanec, Jr.	28,223	Peter K. Skiff	31,
Peter H. Smolka	15,913	James A. LaBarre	28,632	Richard J. McGrath	29,
Robert S. Swecker	19,885	E. Joseph Gess	28,510	Matthew L. Schneider	32,
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Benton S. Duffett, Jr.	22,030	Eric H. Weisblatt	30,505	Gerald F. Swiss	30,
Norman H. Stepno	22,716	James W. Peterson	26,057	Michael J. Ure	33,
Ronald L. Grudziecki	24,970	Teresa Stanek Rea	30,427	Charles F. Wieland III	33,
Frederick G. Michaud, Jr.	26,003	Robert E. Krebs	25,885	Bruce T. Wieder	33,
Alan E. Kopecki	25,813	William C. Rowland	30,888	Todd R. Walters	34,
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Samuel C. Miller, III	27,360	Patrick C. Keane	32,858		
Ralph L. Freeland, Jr.	16,110	Bruce J. Boggs, Jr.	32,344		
Robert G. Mukai	28,531	William H. Benz	25,952		

and: Adam J. Cermak (Regis. No. 40,391)

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent thereon.

FULL NAME OF FIRST INVENTOR Fred BURBANK, M.D.	SIGNATURE <i>Fred Burbank</i>	DATE 1/9/99
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FULL NAME OF THIRD JOINT INVENTOR Michael L. JONES	SIGNATURE <i>Michael L. Jones</i>	DATE 1/3/99
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of Burbank et al. ) Examiner: Max Hindenburg  
For: TISSUE ACQUISITION SYSTEM AND )  
METHOD OF USE ) Group Art Unit: 3736  
Serial No.: 09/196,125 )  
Filed: November 20, 1998 )  
Docket No.: 26684-1030 )  
HEWM LLP  
DE-DOCKETED  
MAY 24 2000  
)

POWER OF ATTORNEY BY ASSIGNEE AND REVOCATION OF PRIOR POWERS

The Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

As Assignee of the entire interest of the above-identified patent application, all powers of attorney previously given are hereby revoked and the following attorneys are hereby appointed to prosecute and transact all business in the Patent and Trademark Office in connection with the above-identified application.

EDWARD J. LYNCH, Registration No. 24,422  
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